

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

DAVID WEBB,	)	
	)	
Petitioner,	)	
	)	
v.	)	CASE NO. 2:19-CV-899-WKW
	)	[WO]
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	

**ORDER**

On December 6, 2019, the Magistrate Judge filed a Recommendation to which no timely objections have been filed. (Doc. # 5.) Upon an independent review of the record and the Recommendation, it is ORDERED that the Recommendation is ADOPTED and this action is DISMISSED without prejudice for lack of subject-matter jurisdiction. Final judgment will be entered separately. Petitioner is not required to obtain a certificate of appealability to appeal this court's judgment, should he desire to do so, because it is not "a final order in a habeas corpus proceeding" within the meaning of 28 U.S.C. § 2253(c). *Hubbard v. Campbell*, 379 F.3d 1245, 1247 (11th Cir. 2004) (quoting § 2253(c)).

DONE this 11th day of February, 2020.

/s/ W. Keith Watkins  
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UNITED STATES DISTRICT JUDGE